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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/440,025 11/12/99 ROEHRS

M FBSI-24564

EXAMINER

MMC2/0309

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ART UNIT	PAPER NUMBER
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2874 #3
DATE MAILED:

03/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/440,025

Applicant(s)

ROEHRS ET AL.

Examiner

Omar Rojas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-22 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: ____

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DETAILED ACTION

Drawings

1. This application has been filed with 6 sheets of drawings which have been objected to by the Office Draftsperson (see attached form PTO-948) but which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. The disclosure is objected to because of the following informalities:

- a. In page 6, line 5, the word "of" should be inserted after the words "perspective view".
- b. In page 9, line 20, a space should appear between the word "frame" and the word "18".
- c. In page 11, line 20, the apostrophe in the term "O'ring" should be changed to a hyphen.

Appropriate correction is required.

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3. Applicant's cooperation is requested in correcting any additional errors of which applicant may become aware in the specification.

Claim Objections

4. Claim 7 is objected to because of the following informalities: The word "energize" is misspelled in page 33, line 33. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. Claim 1 recites the limitation "first insert cap" in page 29, line 6. There is insufficient antecedent basis for this limitation in the claim.
8. Claims 2-6 are necessarily rejected under 35 U.S.C. 112, second paragraph as being dependent on rejected claim 1.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,394,494 to Jennings et al. (hereafter Jennings).

Jennings discloses a multi-channel fiber optic cable connector (see figures 4-8) for connecting the terminal ends of two multi-channel fiber optic cable having termini of respective one of multiple optical fibers included within said cables, the connector (12) comprising: a first housing (16) having a first connector face (20), a first insert cap (the cylindrical protrusion upon which tangs 28 are mounted) with and two first insert cap tangs (28) which extend forward of said connector face (20) wherein said two first tangs (28) and said first insert cap are spaced apart to extend forward of said connector face (20) in a keyed arrangement (as in Fig. 5) for reciprocally engaging a second housing (16) having a second insert cap with two second tangs (28), said two first tangs fitting adjacent to the second insert cap, said first insert cap fitting adjacent to the second insert cap and the second tangs (28), and said first connector face (20) fitting against a second forward surface of the second insert cap;

Wherein said first insert cap having two interior passages which define first first plug body cavities within which are disposed respective ones of a first pair of said termini (244); and said first connector face (20) having a pair of interior passages which define two first connector cavities which are disposed between said first insert cap and said two first tangs (28), from which respective ones of a second pair of said termini extend (244).

Wherein said two insert cap cavities are aligned with two second connector face cavities of the second connector face for receiving respective ones of a third pair of two of said termini (244) therebetween, and said connector face cavities are aligned with two second insert cap cavities of the second insert cap cavities for receiving a fourth respective pair of said termini (244) therebetween.

Wherein said first insert cap, said first connector face (20) and said two first tangs (28) are identically arranged to the second insert cap, the second connector face and the second tangs (28') to provide a hermaphroditic fiber optic cable connector (see column 4, lines 49-55).

Allowable Subject Matter

11. Claims 7-22 are allowed.
12. Claims 4-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
13. The following is a statement of reasons for the indication of allowable subject matter: Claims 4-6 and 7-22 disclose a multi-channel optical fiber cable connector having improvements not obvious over the prior art cited in this Office Action.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 4,258,977 to Lukas et al. discloses an optical fiber hermaphroditic connector for connecting one or more pairs of single fibers having

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tangs/protuberances that interlock and extend from a connector housing. European Patent 0166636-A1 discloses another hermaphroditic optical cable connector with tangs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Rojas whose telephone number is (703) 305-8528. The examiner can normally be reached on M-F (8:30AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (703) 308-4819. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Omar Rojas
Patent Examiner
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or
March 5, 2001


HEMANG SANGHAVI
PRIMARY EXAMINER